S.B.Civil Revision Petition No.34/2007.

Mool Singh and others.

vs.

Nagji Singh and others.

Date : 15.2.2007

HON'BLE MR. PRAKASH TATIA, J.

Mr. D Kawadia, for the petitioners.

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Heard learned counsel for the petitioners.

The trial court restored the suit of the plaintiff/respondent no.1 which was dismissed in default.

According to learned counsel for the petitioners, during pendency of the suit, several adjournments were granted to the plaintiff and the Court granted adjournments on costs. The plaintiff did not appear in the Court and even did not pay the costs. The plaintiff gave absolutely false pleas.

I considered the submissions of learned counsel for the petitioner.

It appears that the court below has directed to deposit all costs which was imposed upon the plaintiff. In such a discretionary order, this court is not inclined to interfere in revisional jurisdiction.

Consequently, this revision petition, having no force, is hereby dismissed.

(PRAKASH TATIA), J.

S.Phophaliya